

## Message Text

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ORIGIN OES-06

INFO OCT-01 EA-09 ISO-00 FEA-01 ACDA-10 AGRE-00 AID-05  
CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-02 COME-00 DLOS-06  
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H-02 INR-07 INT-05 IO-13 JUSE-00 L-03 NSAE-00 NSC-05  
NSF-02 OMB-01 PA-02 PM-04 PRS-01 SP-02 SS-15 USIA-15  
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APPROVED BY OES/OFA/FA:ALZUCCA  
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P R 110006Z FEB 77  
FM SECSTATE WASHDC  
TO AMEMBASSY TOKYO PRIORITY  
INFO AMEMBASSY TAIPEI  
AMEMBASSY SEOUL

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E.O. 11652: N/A

TAGS:EFIS, JA, PLOS

SUBJECT: PRESS GUIDANCE, US-JAPAN GOVERNING INTERNATIONAL  
FISHERY AGREEMENT

1. THE FOLLOWING IS GUIDANCE PROVIDED FOR EMBASSY USE IN  
RESPONDING TO PRESS INQUIRIES ON US-JAPAN GOVERNING  
INTERNATIONAL FISHERY AGREEMENT INITIALLED FEB 10.

"QUESTION: HAVE THE US AND JAPAN SIGNED TWO AGREEMENTS?

ANSWER: THE UNITED STATES HAS CONCLUDED A COMPREHENSIVE  
GOVERNING INTERNATIONAL FISHERY AGREEMENT (GIFA)  
WITH JAPAN. HOWEVER, IT CAN BE CONSIDERED TO HAVE TWO  
PARTS--ONE COVERING 1977 ONLY AND THE OTHER COVERING  
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THE FIVE-YEAR PERIOD 1978-1982.

QUESTION: WERE BOTH PORTIONS OF THE AGREEMENT SIGNED?  
WASN'T ONLY ONE PART OF THE AGREEMENT SIGNED AND THE  
OTHER INITIALLED? WERE NOTES EXCHANGED?

ANSWER: FULLY EXECUTED NOTES, CONSTITUTING THAT PORTION

OF THE GIFA APPLICABLE TO 1977, WERE EXCHANGED AT THE CEREMONY. THE LONG-TERM PORTION OF THE AGREEMENT WAS INITIALLED, RATHER THAN SIGNED, TO ALLOW FOR THE COMPLETION OF REQUIRED ADMINISTRATIVE PROCEDURES BY THE

JAPANESE GOVERNMENT. IT IS OUR UNDERSTANDING THAT ACTUAL SIGNATURE OF THE LONG-TERM PORTION OF THE AGREEMENT WILL TAKE PLACE PRIOR TO THE INITIATION OF INTERNAL RATIFICATION PROCEDURES BY THE JAPANESE GOVERNMENT REQUIRED BY THE JAPANESE CONSTITUTION.

QUESTION: WHY IS THE JAPANESE GIFA DIFFERENT IN FORM FROM THAT OF OTHER GIFA'S? DOESN'T THIS MAKE IT DIFFERENT FROM THE OTHERS? DOES THIS REPRESENT SPECIAL TREATMENT FOR THE JAPANESE?

ANSWER: THE LONG-TERM GIFA IS SIMILAR IN FORM AND SUBSTANCE. THE SHORT-TERM AGREEMENT IS DIFFERENT IN FORM, BUT NOT SUBSTANCE. GIFA AGREEMENTS MUST ALL ACCOMPLISH THE SAME PURPOSE UNDER OUR ACT, AND THUS CANNOT DEVIATE IN MATTERS OF SUBSTANCE FROM ONE ANOTHER. HOWEVER, IN ALL OF THESE NEGOTIATIONS THE UNITED STATES HAS ATTEMPTED TO BE AS POSITIVE AS POSSIBLE IN RESPONDING TO THE SPECIAL REQUIREMENTS AND CONCERNS OF EACH GOVERNMENT. THIS HAS BEEN DONE BY MAINTAINING SOME FLEXIBILITY IN AREAS WHICH DO NOT EFFECT THE BASIC SUBSTANCE OF THE AGREEMENT. WE HAVE DONE THIS FOR THE JAPANESE GOVERNMENT AS WELL AS EVERY OTHER GOVERNMENT WITH WHOM WE HAVE NEGOTIATED. THE PARTICULAR FORM OF THE JAPANESE

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AGREEMENT IS A RESULT OF SUCH AN EFFORT. THE JAPANESE AGREEMENT WAS DESIGNED TO ALLOW TIME FOR THE COMPLETION OF INTERNAL RATIFICATION PROCEDURES REQUIRED BY THE JAPANESE CONSTITUTIONAL PROCESS WITHOUT FORECLOSING THE OPTION OF FISHING BY JAPANESE VESSELS IN CONFORMITY WITH OUR LAW DURING 1977.

QUESTION: DOES EITHER PART ADDRESS THE ISSUE OF QUOTAS OR OTHERWISE AUTHORIZE JAPAN FISHING AFTER MARCH 1, 1977?

ANSWER: NO. THE JAPANESE AGREEMENT, AS IS THE SAME WITH ALL OTHER GIFA'S NEGOTIATED BY THE DEPARTMENT, CONCERNS ONLY THE PRINCIPLES AND PROCEDURES WHICH WILL GOVERN ANY FUTURE JAPANESE FISHING WITHIN OUR FISHERY CONSERVATION ZONE.

QUESTION: DOES THE AGREEMENT REQUIRE CONGRESSIONAL APPROVAL?

ANSWER: YES--THE ENTIRE TWO-PART GIFA WILL BE PROMPTLY SUBMITTED TO CONGRESS IN ORDER TO FULFILL THE CONGRESSIONAL OVERSIGHT REQUIREMENTS OF THE ACT.

QUESTION: CAN THE AGREEMENT BE MADE PUBLIC?

ANSWER: THE AGREEMENT WILL BE AVAILABLE FOR PUBLIC DISTRIBUTION ONCE IT HAS BEEN OFFICIALLY TRANSMITTED BY THE PRESIDENT TO THE CONGRESS. WE EXPECT THIS WILL BE DONE WELL WITHIN THE NEXT WEEK.

QUESTION: WILL THIS AGREEMENT PERMIT JAPAN TO FISH BY MARCH 1, 1977?

ANSWER: THE DEPARTMENT MAY NOW OFFICIALLY RECEIVE JAPANESE APPLICATIONS FOR FISHERY PERMITS. ONCE RECEIVED, UNCLASSIFIED

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PROCESSING AND REVIEW PROCEDURES WILL COMMENCE. WE ANTICIPATE THAT CONGRESS WILL APPROVE TRANSITIONAL LEGISLATION AMENDING THE FISHERY CONSERVATION AND MANAGEMENT ACT OF 1976 IN ORDER TO PERMIT JAPANESE VESSELS TO FISH BY MARCH 1 WITHIN OUR FISHERY CONSERVATION ZONE FOR ANY ALLOWABLE SURPLUS ALLOCATED TO JAPANESE VESSELS.

QUESTION: WILL JAPANESE VESSELS BE FULLY SUBJECT TO U.S. LAW IF THEY FISH WITHIN OUR FISHERY CONSERVATION ZONE AFTER MARCH 1?

ANSWER: YES.  
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## Message Attributes

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